

Message Text

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OMB-01 L-03 FRB-01 TAR-01 SP-02 AGR-10 CIAE-00 INR-07

LAB-04 NSAE-00 OIC-02 SIL-01 STR-04 CIEP-02 CEA-01

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TO USMISSION USUN NEW YORK IMMEDIATE

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TAGS: UNGA, EGEN

SUBJECT: UNGA 7TH SPECIAL SESSION - NEGOTIATING GROUP NO.
2, STATUS OF SECTION III, SCIENCE AND TECHNOLOGY

REF: USUN 4188

1. IN U.S. STATEMENT BEFORE THE PLENARY OF UN SEVENTH
SPECIAL SESSION WHICH DEALS WITH FINAL RESOLUTIONS, REQUEST
THAT BRIEF REMARKS ALONG FOLLOWING LINES BE INCLUDED
UNDER THE SECTION ON SCIENCE AND TECHNOLOGY:

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(A) THE U.S. SUPPORTS WORK ON INTERNATIONAL GUIDELINES FOR

TRANSFER OF TECHNOLOGY, INCLUDING MOST ESPECIALLY THE PROGRESS BEING ACHIEVED AT UNCTAD. WE ARE OPPOSED, HOWEVER, TO ADOPTION OF A LEGALLY BINDING CODE OF CONDUCT. WE CONSIDER A MANDATORY INSTRUMENT CONTAINING DETAILED AND RIGID RULES TO BE FOLLOWED BY THE PARTIES TO TECHNOLOGY TRANSFER TRANSACTIONS TO BE IMPRACTICAL AND UNENFORCEABLE; SUCH A CODE WOULD NOT ACHIEVE THE GOAL OF FACILITATING THE TRANSFER OF TECHNOLOGY. SECONDLY, THE ISSUES INVOLVED IN SUCH AN AGREEMENT ARE EXTREMELY VARIED AND COMPLEX. THEREFORE, IT MAY NOT BE POSSIBLE TO ADHERE TO A FIXED TIMETABLE FOR

DECISIONS IN THIS AREA.

(B) THE U.S. ALSO SUPPORTS WORK ON THE ROLE OF PATENTS IN THE TRANSFER OF TECHNOLOGY. IN THIS AREA, A KEY ELEMENT IS THE ROLE OF THE WORLD-WIDE PARIS CONVENTION FOR THE PROTECTION OF INDUSTRIAL PROPERTY. THE COMPETENT BODY IN THIS FIELD, THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO), IS AT WORK ON PROPOSALS FOR REVISION OF THE PARIS CONVENTION, RESPONSIVE TO THE NEEDS OF DEVELOPING COUNTRIES. THE U.S. POSITION IS THAT WIPO HAS PRIME RESPONSIBILITY IN THIS FIELD, IN CONSULTATION WITH UNCTAD ON THE ECONOMIC AND DEVELOPMENTAL ASPECTS OF THE MATTER.

2. WE APPRECIATE EFFORTS OF USDEL TO GET BEST POSSIBLE LANGUAGE ON THESE TWO POINTS. ALTHOUGH LANGUAGE STILL HAS SOME OBJECTIONABLE FEATURES (AS DISCUSSED BY TELEPHONE), WE AGREE THAT FURTHER ATTEMPTS TO MODIFY LATEST COMPROMISE WOULD NOT BE PRODUCTIVE. HOWEVER, IN VIEW OF OBJECTIONS, WE URGE THAT THE ABOVE STATEMENTS BE MADE FOR THE RECORD. SUCH STATEMENTS WILL BE MOST IMPORTANT IN RELATION TO FUTURE WORK IN THESE AREAS IN WIPO AND UNCTAD. KISSINGER

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